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EAST AFRICA PROTECTORATE.

NOTICE.

AS the authority directed by His Majesty's Secretary of State to exercise the jurisdiction powers and duties of the Governor-General of India in Council in relation to Indian Acts applied in the Protectorate of East Africa, I hereby, in exercise of the powers conferred by sections 5 and 7 of "The Indian Explosives Act (Act IV of 1884)," make and publish, for general information, the following Rules to regulate the manufacture, use, possession, and transport of explosives within the Protectorate.

It is further notified that the following Rules supersede "The Quarrying and Blasting Regulations, 1900," which have accordingly been disallowed by the Secretary of State.

C. ELIOT,
His Majesty's Commissioner.

Mombasa, February 12, 1902.

RULES ISSUED IN ACCORDANCE WITH THE PROVISIONS OF "THE INDIAN EXPLOSIVES ACT (ACT IV OF 1884)."

No. 2 of 1902.

Explosives.*

1. Nothing in these Rules shall apply to the manufacture, use, possession, or sale of any explosive by order or direction of the Government.

2. Licences under these Rules may be granted by any Sub-Commissioner of a province, or any collector of a district, or by any assistant collector specially authorized by the Sub-Commissioner; but every collector and assistant collector shall observe any directions given by the Sub-Commissioner.

3. No person shall manufacture any explosive within the East Africa Protectorate except in so far as a licensing officer may grant special permission to fill cartridges for sporting purposes.

* NOTE.—Explosives, as defined by section 4 of the Explosives Act, means—
(*a.*) Gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance, whether similar to those above mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect, and includes—
(*b.*) Fog signals, fireworks, fuses, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive as above defined.

4. An explosive shall not be possessed except under and in accordance with the conditions of a licence to possess the explosive granted under these Rules.

5. Every person holding a licence for a fire-arm shall be entitled to a licence to possess such an amount of ammunition in respect of each fire-arm for which a licence is held as the licensing officer may consider to be reasonable.

6.—(*a.*) Licences to possess and sell ammunition and fireworks may be granted to such total amount during the currency of the licence, and in such places and subject to such conditions as to sale as shall be approved by the licensing officer in each case.

(*b.*) Provided that such licence shall distinctly specify the building or buildings in which such explosives are to be stored, and that no portion of such explosives may be removed from such named building except upon the written authority of a licensing officer.

7. Licences to possess, and use, or to possess and sell explosives to be used for blasting purposes, may be granted to such total amount during the currency of the licence and in such places, and subject to such special conditions as to its sale, and use, as shall be approved by the licensing officer.

8. Provided that the general Regulations set forth in the Schedule hereto shall be observed in relation to the quarrying, blasting, loosening, or otherwise removing any rock, stone, or other substance by means of an explosive.

9. All Protectorate and police officers are authorized to exercise the powers specified in section 7 of the Explosives Act.

10.—(*a.*) Any person importing or manufacturing an explosive except as provided by these Rules shall be liable to a penalty not exceeding 3,000 rupees.

(*b.*) Any person possessing, using, or transporting an explosive except as provided by these Rules shall be liable to a penalty not exceeding 1,000 rupees.

(*c.*) Any person selling an explosive, except as provided by these Rules, shall be liable to a penalty not exceeding 500 rupees.

(*d.*) Any person contravening these Rules in any other respect shall be liable to a penalty not exceeding 200 rupees.

11. The following fees shall be payable :—

(*a.*) For each separate consignment of ammunition received by a person holding a licence to possess ammunition under Rule 5, 8 annas.

(*b.*) For a licence to possess and sell ammunition under Rule 6, 10 rupees.

(*c.*) For a licence to possess and sell fireworks under Rule 6, 5 rupees.

(*d.*) For a licence to possess and sell blasting explosives under Rule 7, 5 rupees.

(*e.*) For a licence to possess and use blasting explosives under Rule 7, 1 rupee.

(*f.*) For superintendence of any blasting operations per diem, 3 rupees; and in addition, all actual travelling expenses.

12. These Rules may be cited as "The Explosives Rules, 1902."

C. ELIOT,
His Majesty's Commissioner.

Mombasa, February 12, 1902.

SCHEDULE REFERRED TO IN RULE 8.

1. Application shall be made in writing to a licensing officer, stating the nature and exact locality of the intended operations.

2. No such operations shall be carried on except in the presence of some person appointed by the licensing authority to superintend the operations.

3. No such operations shall be carried on within 150 feet of any building or within 50 feet of any main public road.

4. Such operations, if carried on outside the limits provided for by clause 3, but within 800 yards of any building or main public way, shall be by means of gunpowder only and in charges not greater than 8 ounces.

5. Such operations, if carried on beyond the limit of 800 yards from any building or main public way, shall be such explosives and in such charges as the licensing authority shall direct.

6. The following tools, &c., shall be used in all blasting operations:—

Brass tamping bars.
Powder canisters, of the regulation pattern, with screw tops and padlocks.
Patent fuse (Bickford's).
Red flags.
Graduated measures to hold 8 ounces of powder.
Boxes for tamping.

7. Before any charge is placed in the mine-holes, the person authorized by the licensing authority to superintend the operations, hereafter called the overseer, shall inspect the rocks in which the mine-holes have been drilled.

8. To show that the mine has been duly inspected, and has been approved for blasting, the overseer shall then paint a circle of not less than 12 inches in diameter with red paint round the mine-hole.

9. When the mines have been so inspected and approved, the overseer shall at once make an entry in his book to the effect that he has inspected, measured, and approved the said mines.

10. The overseer shall enter in his book the depth of bore, amount of charge, and length of fuse used in each mine separately, after having superintended the loading of each mine passed by him as ready for explosion, and before the firing of the same.

11. The earth for tamping shall be carefully selected by the overseer, and shall consist of either burnt clay or dongo free from quartz, &c., that may strike fire.

The selected tamping shall be kept by the overseer in a special box fitted with a padlock. The earth from ant-hills or from the nests of mason-flies should be used when procurable in preference to other tamping.

12. The overseer shall see that the first 3 inches of tamping are pressed down gently over the wadding. No hard ramming shall be allowed until after these first 3 inches of tamping have been pressed home to the wad.

13. Before exploding a mine near any premises, inhabited or uninhabited, the overseer shall himself superintend the covering of the said mine with chains or sand-bags, so as to prevent or minimize any damage. Not less than twelve gunny-bags, filled with earth or sand, shall be used in each case.

14. Prior to the explosion of any mine, the overseer shall order three or more men, with a red flag each, to proceed to a distance of at least 100 yards in different directions, and the said men shall ring bells or strike triangles, and call out repeatedly and loudly for at least five minutes the words, "barooti, barooti."

15. Half-an-hour before a mine is exploded in the vicinity of inhabited premises, the overseer shall warn the inhabitants of each house of his intention to explode a mine.

16. The overseer shall charge the mines himself, or shall have them charged in his presence, and the overseer or the miner appointed by him shall fire the mine as soon as possible after the mine has been charged after the above-mentioned precautions have been carried into effect.

17. The practice of sprinkling powder over the mine and fuse-end shall not be permitted.

18. The charge and length of fuse shall be according to the following scale:—

Depth of mine	6 inches.	12 inches.	18 inches.	24 inches.	30 inches.	36 inches.
Powder	Not to exceed 2 ozs.	Not to exceed 2 ozs.	Not to exceed 4 ozs.	Not to exceed 4 ozs.	Not to exceed 8 ozs.	Not to exceed 8 ozs.
Length of fuse, in inches ...	18	24	30	36	42	48

and for deeper mines the length of fuse used shall be on the same scale, and the overseer shall always measure the charge in the measures provided.

19. All blasting must take place between the hours of 9 A.M. and midday, and no mine shall be exploded after midday, with the exception of such mines as are mentioned in the following clause.

20. In the case of the non-explosion of a mine, the overseer shall see that the mine is well and continually soaked with water for the space of half-an-hour. No attempt whatever is to be made to withdraw a charge from a non-exploded mine; but another mine shall be bored in a direction parallel to the unexploded mine, and at a distance of not less than 1 foot therefrom.

21. After any serious accident a declaration shall be made at the nearest Police Station by the overseer.

22. Suitable cover shall be provided for the men engaged in the blasting operations at distances not less than 30 yards, and not to exceed 50 yards from the site of the blast.

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East Africa Protectorate. 12 Feb. 1902. TS Selected Foreign Office Files on Africa. The National Archives (Kew, United Kingdom). Nineteenth Century Collections Online. Web. 31 Aug. 2015.

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